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Attorneys for Defendant  
EARTH ANIMAL VENTURES, INC.,  
erroneously sued as Earth Animal Ventures

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NEWCO DISTRIBUTORS, INC.,

Plaintiff,

v.

EARTH ANIMAL VENTURES, PET  
FOOD EXPERTS, INC., MICHAEL  
BAKER, and Does 1 Through 50,

Defendants.

CASE NO. 8:24-CV-01850 FWS (DFMX)

**STIPULATION TO EXTEND TIME TO  
RESPOND TO INITIAL COMPLAINT**

Complaint served on: August 4, 2024

Current response date: November 14, 2024

Plaintiff Newco Distributors, Inc. ("Plaintiff") and Defendant Earth Animal Ventures, Inc. ("Earth Animal"), (collectively, the "Parties") by and through their respective counsel, hereby stipulate and agree to the following:

1. Plaintiff filed its Complaint in the Superior Court of California, County of Orange on July 17, 2024.

2. On August 23, 2024, Co-Defendants Pet Food Expert, LLC, and Michael Baker filed a Notice of Removal, removing this case from state court to Federal court. Due to the Notice of Removal, Earth Animal's deadline to file a responsive pleading to the Complaint then became August 30, 2024.

1           3.       On August 30, 2024, Earth Animal and Plaintiff jointly stipulated to extend the  
2 responsive pleading deadline from August 30, 2024, to September 13, 2024.

3           4.       On September 4, 2024, Plaintiff filed a Motion to Remand this action back to state  
4 court. Plaintiff's Motion to Remand is scheduled to be heard on October 10, 2024 at 10 AM.

5           5.       On September 9, 2024, Earth Animal and Plaintiff jointly filed a stipulation to  
6 extend the responsive pleading deadline from September 13, 2024 to 14 days following the denial  
7 of the Motion to Remand, should that outcome come to pass. This Court granted the stipulation,  
8 but ordered Earth Animal's responsive pleading deadline to be November 14, 2024.

9           6.       On October 7, 2024, this Court served a Scheduling Notice vacating the hearings  
10 set for October 10, 2024, and taking the Motion to Remand under submission. To date, the Motion  
11 to Remand has yet to be ruled upon.

12           7.       If the Motion to Remand is granted, then there will be no need for Earth Animal  
13 to file any responsive pleading in this Court. Conversely if the Motion to Remand is denied, then  
14 Earth Animal's responsive pleading can be filed at that time. As such, to promote judicial  
15 economy and efficiency, Earth Animal and Plaintiff jointly stipulate for Earth Animal to respond  
16 to the Complaint 14 days following the denial of the Motion to Remand, should that outcome  
17 come to pass.

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1           8. By signing this stipulation, Earth Animal is not conceding that this case should be  
2 remanded to state court, is not waiving any right to oppose the Motion to Remand, and specifically  
3 reserves all rights to file an opposition to the Motion to Remand. Additionally, by signing this  
4 stipulation, Plaintiff is not conceding that this case should not be remanded to state court, nor  
5 waiving any right toward that end. Each party reserves all rights. Rather, the purpose of this  
6 stipulation is for the sole purpose of promoting judicial economy and saving the Court's and the  
7 Parties' resources.

8  
9 Date: November 7, 2024

STRUCTURE LAW GROUP, LLP

10  
11 By: /s/ Jessica Nwasike  
12 Jessica I. Nwasike, Esq.  
13 Attorneys for Defendant  
EARTH ANIMAL VENTURES, INC.

14 Date: November 7, 2024

CUMMINS & WHITE, LLP

15 By: /s/ Eric M. Khodadian  
16 Eric M. Khodadian, Esq.  
17 Attorneys for Plaintiff  
NEWCO DISTRIBUTORS, INC.

18 **Attestation of Concurrence**

19 I, Jessica I. Nwasike, as the ECF user and filer of this document, attest that, pursuant to  
20 L. R. 5-4.3.4(a)(2), concurrence in the filing of this document has been obtained from Eric M.  
21 Khodadian, the above signatory.

22  
23 Date: November 7, 2024

By: /s/ Jessica Nwasike  
Jessica I. Nwasike, Esq.